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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,476	02/23/2000	Ron Toupal	SPO002	3893
7590	12/03/2003		EXAMINER	
Steven H Slater Slater & Matsil LLP 15150 Preston Road Suite 300 Dallas, TX 75248			CHEN, TE Y	
			ART UNIT	PAPER NUMBER
			2171	
DATE MAILED: 12/03/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/511,476 Examiner Susan Chen	Applicant(s) Plano et al. Art Unit 2171	
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Sep 15, 2003
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.
- Disposition of Claims
- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some* c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ *b6*
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) Other:

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Response to Amendment

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/15/2003 has been entered.

2. This is in response to amendment filed on 09/15/2003 (paper # 8).

3. Claims 1-27 pending for examination, claims 18 and 25 have been amended, claim 26 and 27 are newly added.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claims 18-25, are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

6. As to claim 18, applicants' specification failed to disclose the mechanism for "a statistics generator circuit coupled to the database" (line 5). Thus, the specification is not in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. As to claims 19-25, these claims have the same defects as their base claim, hence were rejected for the same reasons.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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9. Claims 1-3, 5-8, 9-11, 13-17, 18-19 and 21-27, are rejected under 35 U.S.C. 102(e) as to the best of examiner ascertain being anticipated by Jain et al. (U.S. Patent No. 6,144,375).

10. As to claims 1, 26 and 27, Jain et al. (Thereinafter referred as Jain) disclosed the invention as claimed by applicant comprising a multi-media Interactively Viewing system [e.g., see Fig(s). 3-4] which provides a graphical representation (or interface) of content-based, event-driven templates for the viewer/user to interact with [e.g., see Fig(s). 7-9; col. 4, lines 62-65; col. 5, lines 1-9], the system comprises:

a) a database [e.g., the Dynamic Built Video Database (216), Fig. 3; col. 4, lines 27-39] comprised of logs which corresponding to a specific happening and a plurality of events [e.g. the lively recorded raw multi-media football game (i.e., a happening), can be filters out and produce a new database (or new log) based on user-defined selection criteria, statistical information, etc.; see col. 5, lines 60 - col. 6, line 13];

b) a statistic generator [e.g., The Capture/Filter module (304), Fig. 4] coupled to the database to receive a plurality of events for a specific happening and outputting statistics regarding the specific happening [e.g., the Statistics Display Window (508), Fig. 8; col. 6, lines 1-13; col. 16, line 61- col. 17, line 48; col. 28, lines 28-48; Fig. 6A; col. 28, lines 50 - col. 29, line 7];

c) a template database [e.g., the local database built on the fly which can be accessed by the viewer/user, col. 6, lines 9-13], wherein, each template having associated with it at least one condition [e.g. the template displays of Fig(s). 7-9, these displays are created based on either pre-defined

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filtering criteria (see col. 16, lines 61-65) or user-specified criteria stored as a project (or another log) in the system disk (e.g., 216, Fig. 3; col. 17, lines 34-42)];

d) a template selector process [e.g. the Integrated Multi-Perspective Viewer Process, Fig.(s) 7-9] wherein, the process comprising: 1) a comparison routine [e.g. see the capture/filter process at col. 17, line 49 et seq.; the personality module, col. 18, lines 53-59] which compare the received input condition regarding the specific happening and output an indication of whether the conditions associated with the template are met or not [e.g., the comprising and identification processing performed by the utility process of the personality module will produce a key or non-key event output, col. 18, lines]; 2) a selector routine to select one template from amongst the candidate templates [e.g. the data filtering function of the capture/filter process is a selector routine which help end user to strip-away multi-media data that is relatively unimportant to the end user. (see col. 17, lines 63-67)]; 3) an article creator routine receives the selected template as input and generates a finished article from the selected template and the recorded events¹[e.g., the system user interface routine (320), Fig. 4; Fig (s). 7-9; col. 18, lines 42 - col. 19, lines 8].

¹ Note: Jain disclosed system creates the final graphical user interface (GUI) template in form of Web page (or HTML format, see col. 31, lines 24-26), based on the event selected by the user from event timeline [e.g., col. 32, lines 2-11], wherein, the event of a GUI window design is default to have a callback function associated with it.

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11. As to claim 2, Jain further disclose an interface [e.g., 320, Fig. 4] for an end-user to select a specific event for article generation [col. 19, lines 25- 28, lines 36-44] and by which to display the finished article to the end-user [400, Fig. 4; col. 17, lines 36-43].
12. As to claims 3 and 8, Jain further disclosed that the event is a sport game event [Fig (s). 2, 7-9].
13. As to claim 5, Jain further disclosed that the recorded events are provided by a scorekeeper (or a system user) and the system having means for eliminating one or more of the plurality of templates based upon a score rating (or significance of event) from the scorekeeper [Fig. 5; col. 20, lines 6-59].
14. As to claim 6, Jain further disclosed that the system having object oriented program routines [col. 20, lines 6-13].
15. As to claim 7, Jain further disclosed that the comparing means having a first means for comparing the at least one condition to a set of default statistics and a second means for comparing the at least one condition to a set of additional statistics [304, 400, Fig. 4; col. 6, lines 6-20; lines 45-51].

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16. As to claims 9-11 and 13-17, the steps in the claimed method are deemed to be made inherit by the functions of the apparatus structure in the combination discussed above, hence were rejected for the same reasons.

17. As to claims 18-19 and 21-25, these claims recited the similar features as claims 1-3, 5-8, 9-11 and 13-17, hence were rejected for the same reason.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 4, 12 and 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain et al. (U.S. Patent No. 6,144,375) and in view of Blumberg (U.S. Patent No. 6,240,415).

20. As to claim 4, Jain did not specifically disclosed that the selecting means will chose the most qualified candidate which met the most specified conditions.

21. However, Blumberg disclosed that the selecting means will chose the most qualified candidate template which met the most specified conditions [e.g., col. 10, Sport Management].

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22. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Jain's and Blumberg's teachings because by having the selecting means to chose the most qualified candidate template which met the most specified conditions would provide only the most welcome information to end-user.

23. As to claim 12, the steps in the claimed method are deemed to be made obvious by the functions of the apparatus structure in the combination discussed above, hence were rejected for the same reasons.

24. As to claim 20, this claim cites the well-known features as claims 4 and 12, hence were rejected for the same reason.

Response to Arguments

25. Applicant's arguments filed on 09/15/2003 have been fully considered but they are not persuasive.

26. Regarding Applicant's arguments with respect to the *35 U.S.C. § 102 (e)* rejection, the examiner disagrees with applicant's assertion that 1) Jain lacks a "plurality of article template , each template having associated with it at least one condition," and 2) Jain lacks "means for generating statistics from the game log" which is "comprised of recorded event".

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27. In response to the argument 1), the examiner points out that Jain specifically discloses a plurality of article templates [e.g., Fig(s). 7-9], these article templates are generated base on user selected events [col. 32, lines 2-11]. Jain further discloses that each event is defined as a spatial-temporal state satisfying pre-defined conditions [e.g. see col. 12, lines 51-52], as such, the template created according to a selected event is clearly being associated with itself at least one condition.

28. In response to the argument 2), the examiner points out that Applicant fails to define the metes and bounds of the claimed "log". As such, the examiner regards the claimed log as "A record, of transactions or activities that take place on a computer system"². Based on this, the examiner asserts that Jain specifically discloses "means for generating statistic from game log", for example, see col. 5, line 57- col. 6, line 13; col. 28, lines 29-48; 318 and Fig(s). 4 and 6A. There, Jain specifically cites that records (or logs) of a database are created by a multi-media "capture/filter" processing means (340, Fig. 4) on the fly [e.g. see col. 16, the Setup Process of the system & col. 19, lines 25-29, 36-44]. Jain further discloses that during the database generating processing, other information (for example , statistic data) is synchronized (or captured) into the records (or log) of a database [see col. 6, lines 1-13], and the Stat. Crew computer (318, Fig.4) which provides (or generates) the statistic information from the

² See Page 316, Microsoft Computer Dictionary, 2002 Fifth Edition.

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database (or log) to a viewer. [see, Fig. 4, col. 19, lines 2-24, and col. 28, Statistics and Information Viewing Window].

29. In response to the rest argument, Applicant rehash issues discussed above, hence were rejected for the same reason.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group is: (703) 872-9306.

32. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

Nov. 26, 2003

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